

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC
and TI GROUP AUTOMOTIVE SYSTEMS
L.L.C.,

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

Civil Action No. 02-CV-3830 (LDD)

**PLAINTIFFS' OBJECTIONS TO
DEFENDANTS' DESIGNATIONS OF
EPA RECORDED INTERVIEWS OF
CERTAIN WITNESSES**

Defendant Carpenter Technology Corporation¹ seeks to admit into evidence designated pages and lines from transcripts of EPA recorded interviews of Manfred F. DeRewal, Jr., Bruce J. DeRewal and Jeffrey L. Shaak in 1997. Handy & Harman Tube Company, Inc. seeks to admit into evidence designated pages and lines from transcripts of EPA recorded interviews of Manfred DeRewal, Sr., Bruce J. DeRewal and Manfred DeRewal, Jr. in 1996 and 1997. The EPA interviews are classic hearsay and are not admissible into evidence because they are nothing more than a record of an administrative agency's internal investigation, and the witnesses who actually gave the statements have been deposed in this case. The designations themselves are limited to statements that those Defendants intend to argue are inconsistent with the actual deposition testimony taken in this action and that the witnesses are therefore expected to give at trial. Attached hereto and marked Exhibit A are the pages from the recorded interviews containing the lines designated by the Defendants.

Plaintiffs served trial subpoenas on Bruce DeRewal and Jeffrey Shaak and expect

¹ We note that, although Carpenter Technology Corporation now seeks to admit the recorded statements into evidence, it did not file any opposition to Plaintiffs' motion in limine to exclude the recorded statements.

that these individuals will testify at trial. Since these witnesses are available to testify at trial, the only proper use of the EPA interviews is to impeach these witnesses at trial. For the reasons previously set forth in Plaintiffs' Motion in Limine with Respect to Certain Exhibits and Witnesses Listed in Defendants' Pretrial Memoranda filed with this Court on May 23, 2008 and because Bruce DeRewal and Jeffrey Shaak will be available to testify at trial, Plaintiffs hereby object to any use of the EPA recorded statements of Bruce DeRewal and Jeffrey Shaak at trial other than to impeach these witnesses.

To the extent that Manfred DeRewal, Sr. or Manfred DeRewal, Jr. are unavailable to testify at trial, Plaintiffs object to any use at all of the EPA interviews at trial. These interviews were taken by an administrative agency for its own purposes unrelated to this litigation. The interviews were not conducted pursuant to the Federal Rules of Civil Procedure or as part of any formal proceeding. An EPA attorney, EPA investigator and EPA paralegal randomly questioned the witnesses. The witnesses were not represented by counsel and no representative from Plaintiffs or any of the parties in this case were present during or made aware of the EPA interviews in 1996 and 1997. Most importantly, however, the witnesses who gave the recorded statements in 1996 and 1997 were deposed in this case where all parties of record were present and had the opportunity to question the witnesses under oath, pursuant to the Federal Rules of Civil Procedure, about their previous statements to EPA.

In addition, the transcripts of Manfred DeRewal, Sr.'s and Manfred DeRewal, Jr.'s EPA interviews cannot be used at trial to impeach any designations of deposition testimony of these witnesses in this case under Rule 801(d)(1) because the declarants would not be subject to cross-examination concerning the statements.

To the extent that this Court permits Defendant Carpenter Technology Corporation and Handy & Harman Tube Company to introduce the recorded statements at trial, Plaintiffs respectfully request that this Court provide them with an opportunity to counter-designate pages and lines from the EPA interviews.

Dated: June 19, 2008

Respectfully submitted,

Ballard Spahr Andrews & Ingersoll, LLP

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Attorney for Plaintiffs

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TECHNOLOGY CORPORATION, et al.,

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Civil Action No. 02-CV-3830 (LDD)

**DECLARATION IN SUPPORT OF PLAINTIFFS' OBJECTIONS TO DEFENDANTS'
DESIGNATIONS OF EPA RECORDED INTERVIEWS OF CERTAIN WITNESSES**

GLENN A. HARRIS, ESQUIRE hereby certifies:

1. I am a member of the law firm of Ballard Spahr Andrews & Ingersoll, LLP, and counsel for Plaintiffs in the above-captioned matter.

2. I submit this declaration in support of Plaintiffs' Objections to Defendants' Designations of EPA Recorded Interviews of Certain Witnesses.

3. Attached hereto and marked Exhibit A are the pages from the recorded interviews containing the lines designated by the Defendants.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Glenn A. Harris, Esquire

DATED: June 19, 2008

Exhibit A

- - -
IN RE: BOARHEAD FARMS NPL :
SUPERFUND SITE :
- - -

Wednesday, February 26, 1997
Commencing at 9:55 a.m.

- - -
Holiday Inn
Suite 302
Ft. Washington, Pennsylvania 19034
- - -

NOTE: THIS TRANSCRIPT IS THE WORK PRODUCT OF ROBERT W. HARLEY, REGISTERED PROFESSIONAL REPORTER. COPIES ARE AVAILABLE ONLY THROUGH ROBERT W. HARLEY.

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Suite 700
One Montgomery Plaza
Norristown, Pa. 19401
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COUNSEL APPEARED AS FOLLOWS:

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Senior Assistant Regional Counsel
841 Chestnut Building
Phila., Pa. 19107-4431

for U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III

ALSO PRESENT:

BEVIN HARDY, PARALEGAL SPECIALIST
PAUL J. NEALE, JR., PARALEGAL SPECIALIST
JOAN E. MARTIN-BANKS, CIVIL INVESTIGATOR
Region III
841 Chestnut Building
Phila., Pa. 19107

Witness: MANFRED F. DeREWAL, JR.

EXHIBITS

U.S. EPA Exhibits

No.	Description	Mrkd
1	Administrative subpoena	5
2	Boarhead Farms site map	10
3	Photograph	11
4	Photograph	11
5	Boarhead Farms site map (Pit W)	41
6	Photograph	41
7	Photograph	41
8	Jonas Trucking Company operating record	46
9	Jonas Trucking Company operating record	47

EXHIBITS (Cont'd)

U.S. EPA Exhibits

No.	Description	Mrkd
10	National Rolling Mills shipping order	50
11	National Rolling Mills bills of lading and invoices	54
12	Ltr dtd 1/21/72 from Karen Bean to Mike Margarite, Philco Ford	61
13	DeRewal Chemical Company invoice dtd 3/27/72	62
14	Two photographs	64
15	Ltr dtd 8/23/76 from Susan Lemoire to Manfred DeRewal	67
16	DeRewal Chemical invoice #1388 dtd 3/19/77	67
17	DeRewal Chemical invoice #1402 dtd 4/9/77	70
18	PO dtd 5/11/77 to DeRewal from Diaz Chemical	72
19	Bill of lading dtd 5/28/77 to DeRewal Chemical	72
20	1976 Jonas Trucking operating records	78
21	American Cyanamid shipping orders to Jonas Waste Removal dtd July through September of 1976	79
22	Ltr 5/17/76 from Manfred DeRewal to Sylvia Fumara, Naval Air Development Center	89
23	Photograph	91
24	SPS PO #68361 dtd 2/17/76	92
25	SPS PO #3191 dtd 3/30/73	92
26	DeRewal Chemical SO #1208 dtd 1974 to SPS	92
27	SPS PO #95421 dtd 3/27/70	93
28	SPS PO #11802 dtd 6/2/70	93

1 MANFRED F. DeREWAL, JR., having
2 been duly sworn, was examined and testified as follows:

3 EXAMINATION

4 BY MS. KEATING:

5 Q Mr. DeRewal, my name is Sarah Keating. I have
6 with me Joan Martin-Banks, who is a civil investigator
7 for the EPA; Bevin Hardy, who is a paralegal with the
8 EPA; and Paul Neale, who is also a paralegal at EPA.
9 We are all involved in the Boarhead Farms Superfund
10 site matter and we're here to ask you some questions
11 about that site.

12 A Okay.

13 Q As you know, the civil provisions of the Federal
14 Superfund Statute authorizes us to ask you questions
15 pursuant to a subpoena and we would like truthful and
16 frank answers from you. Our focus is on the companies
17 whose wastes might be buried out at that site. We have
18 so far uncovered at least 2600 drums of wastes, and we
19 would like to know whose waste that is.

20 Okay. I will now read some
21 instructions to the deponent. If you do not hear a
22 question, Mr. DeRewal, please say so and I will repeat
23 it. If you don't understand a question, say so and
24 I'll rephrase it. If you realize that an earlier
25 answer you gave was inaccurate or incomplete and you

1 MANFRED F. DeREWAL, JR.

2 Chemical Company pick up wastes from them?

3 A I can't tell you. I have no idea whether they
4 did or not.

5 BY MS. KEATING:

6 Q Are you familiar with a company called Carpenter
7 Technology?

8 A Yes.

9 Q Did DeRewal Chemical Company do business with
10 Carpenter?

11 A Yes.

12 Q What type of business did they do?

13 A That was also bulk.

14 Q Hauling of bulk acid?

15 A Acid, the same acid from like National Rolling
16 Mills. I guess it was pickled.

17 Q Is it possible that any of that waste was dumped
18 at the Boarhead property?

19 A No.

20 Q It all went to the Philadelphia facility?

21 A Yeah, Philadelphia.

22 Q Are you familiar with a company called Etched
23 Circuits Incorporated?

24 A I heard of them.

25 Q Do you remember doing any business with Etched

1 MANFRED F. DeREWAL, JR.

2 A I believe, yeah. That's the only company that --
3 most of our work was bulk. I know we never picked up
4 cyanide in bulk.

5 Q Do you recall ever doing business with the
6 Department of Defense?

7 A No.

8 Q Are you familiar with a company called General
9 Electric company?

10 A I've heard of them but I don't believe we ever
11 did any work at DeRewal Chemical.

12 Q Are you familiar with a company Handy and Harman
13 Tub?

14 A That rings a bell.

15 Q Do you recall ever doing business with Handy and
16 Harman Tub?

17 A I can't recall but it sounds familiar.

18 Q Do you know what kind of waste stream was
19 generated by Handy and Harman?

20 A No, I do not.

21 Q Do you know what kind of business they were in?

22 A No, I do not.

23 Q Are you familiar with a company called Hoffman
24 LaRoche, Inc.?

25 A No.

C E R T I F I C A T I O N

I, Robert W. Harley, Registered Professional Reporter, Notary Public, do hereby certify that the foregoing proceedings were taken stenographically by me on February 26, 1997 and that this is a true and correct transcript of same, fully transcribed under my direction, to the best of my ability and skill.

I further certify that I am not a relative, employee or attorney of any of the parties in this action; that I am not a relative or employee of any attorney in this action; and that I am not financially interested in the event of this action.

Robert W. Harley, RPR
Suite 700
One Montgomery Plaza
Norristown, Pa. 19401

IN RE: BOARHEAD FARMS NPL :
SUPERFUND SITE :

ORIGINAL
(Red)

ORIGINAL

Thursday, March 13, 1997
Commencing at 10:55 a.m.

Best Western Motor Inn
1446 West Broad Street
Quakertown, Pennsylvania 18951

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ALSO PRESENT:

BEVIN HARDY, PARALEGAL SPECIALIST
PAUL J. NEALE, JR., PARALEGAL SPECIALIST
JOAN E. MARTIN-BANKS, CIVIL INVESTIGATOR
Region III
841 Chestnut Building
Phila., Pa. 19107

Witness: BRUCE J. DeREWAL

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U.S. EPA Exhibits

<i>No.</i>	<i>Description</i>	<i>Mrkd</i>
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11	DeRewal Chemical Company invoice dtd 3/27/72	51
12	DeRewal Chemical Company invoice dtd 8/18/72	52
13	DeRewal Chemical Company invoice dtd 7/14/72	52
14	DeRewal Chemical Company invoice dtd 10/31/73	53
15	Ltr dtd 9/18/72 from Manfred DeRewal to Mike Margarite of Philco Ford	54
16	Two photographs	55
17	Ltr dtd 8/23/76 from Susan Lemoire to Manfred DeRewal	56
18	DeRewal Chemical invoice #1388 dtd 3/19/77	57
19	DeRewal Chemical invoice #1402 dtd 4/9/77	57
20	Ashland Chemical Company sales orders/invoices dtd 7/26/77 through 2/15/78	57
21	PO dtd 5/11/77 to DeRewal from Diaz Chemical	61
22	Bill of lading dtd 5/28/77 to DeRewal Chemical	61
23	1976 Jonas operating record	63
24	American Cyanamid shipping orders to Jonas Waste Removal dtd July through September of 1976	63
25	Ltr 5/17/76 from Manfred DeRewal to Sylvia Fumara, Naval Air Development Center	69
26	Photograph	69
27	SPS PO #68361 dtd 2/17/76	70

EXHIBITS (Cont'd)

U.S. EPA Exhibits

<i>No.</i>	<i>Description</i>	<i>Mrkd</i>
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29	DeRewal Chemical SO #1208 dtd 1974 to SPS	71
30	SPS PO #95421 dtd 3/27/70	72
31	SPS PO #11802 dtd 6/2/70	72

1
2 BRUCE J. DeREWAL, having been duly
3 sworn, was examined and testified as follows:
4

5
6 EXAMINATION

7 BY MS. KEATING:

8 Q Mr. DeRewal, my name is Sarah Keating. I'm the
9 attorney assigned to the Boarhead Farms Superfund site
10 matter. I have with me Bevin Hardy who's a paralegal
11 in our office, Paul Neale who's also a paralegal, and
12 Joan Martin-Banks who is a civil investigator assigned
13 to the Boarhead matter.

14 I will be posing most of the
15 questions to you, but Ms. Hardy, Mr. Neale and Ms.
16 Martin-Banks might ask you some questions as well.
17 We're here to discuss the Boarhead Farms Superfund site
18 matter. Our focus is on the companies whose wastes
19 might be buried at the site, and I guess at this point
20 I'll just read some directions to you.

21 If you do not hear a question, say
22 so and I'll repeat the question for you. If you do not
23 understand a question, say so and I'll rephrase it. If
24 you realize that an earlier answer that you gave was
25 inaccurate or incomplete, please say that you would
like to correct it or supplement it and I'll permit you

1 BRUCE J. DeREWAL

2 A No.

3 Q When you were given invoices or sales receipts or
4 anything, you don't recall ever seeing the initials
5 "EE" used?

6 A No. When I used to go to National Rolling Mills
7 I had a stack of -- I think I had a stack of Marvin
8 Jonas' shipping papers, blanks. Maybe they used
9 DeRewal's. I don't know.

10 Q Do you recall ever picking up any drummed waste
11 from National Rolling Mills?

12 A No. That was all bulk.

13 **BY MR. NEALE:**

14 Q Do you recall what years you hauled their waste?

15 A No, I don't remember.

16 Q Was it during the entire time that you worked for
17 DeRewal?

18 A Yeah. That was one of my runs, National Rolling
19 Mills. My other run was Carpenter Tech in Reading.

20 Q Carpenter Technology?

21 A Carpenter Technology up in Reading, yeah, Route
22 222. That was my other run.

23 **BY MS. KEATING:**

24 Q Do you recall what kind of waste you hauled for
25 Carpenter Technology?

BRUCE J. DeREWAL

A Hydrochloric acid.

Q Was it all bulk?

A Yeah.

Q Was any of it ever contained in drums?

A No.

Q Was any of Carpenter Technology's waste ever disposed of at the Boarhead property?

A No. That all went down the city. We had neutralizing tanks down in Wissinoming.

BY MS. HARDY:

Q Did you ever haul any drummed waste working as an employee of DeRewal Chemical?

A Yes.

Q Where was that waste?

A Most of it was a copper sulfate solution.

Q Where did you pick it up?

A I'm trying to think. It would be picked up from these circuit board companies, these small circuit board companies.

Q Do you know their names?

A I'm trying to think. Oh, geez...

BY MS. KEATING:

Q Flexible Circuits?

A Flexible Circuits was one.

1

BRUCE J. DeREWAL

2 **BY MS. HARDY:**

3 Q Are you familiar with American Nickeloid Company?

4 A No, never heard of them.

5 Q Are you familiar with Harry Miller Corporation?

6 A No.

7 Q Are you familiar with Heatbath Corporation?

8 A No.

9 Q Are you familiar with Thomas and Betts Company?

10 A No.

11 Q Are you familiar with Unysis Corporation?

12 A Unysis?

13

MS. MARTIN-BANKS: That was known
14 as Burroughs, the Burroughs Corporation previously.

15

THE WITNESS: No.

16 **BY MS. HARDY:**

17 Q Are you familiar with Carpenter Technology?

18 A Yes.

19 Q Did DeRewal Chemical Company do business with
20 Carpenter Technology?

21 A Yes.

22 Q What type of business did they do?

23 A Picked up waste acid up in their Reading facility
24 and took it down to Philadelphia.

25 Q Was their waste ever brought to the Boarhead

BRUCE J. DeREWAL

site?

A No. Philadelphia was too close. We always went to Philly with that. That was all bulk, tanker.

Q Are you familiar with Chem Fab Corporation?

A Mm-hmm.

BY MS. KEATING:

Q Did DeRewal Chemical Company ever do business with Chem Fab Corporation?

A Yeah, they did a little business with them but not much.

Q Do you recall what kind of business they did?

A He had ferric chloride solution.

Q Was that liquid?

A That was liquid bulk, ferric chloride.

Q Was it contained in drums?

A No. That was bulk, tankers.

Q Are you aware of any of Chem Fab's waste ever being disposed of at the Boarhead property?

A No. That material was sold. We would go to Chem Fab and most of our ferric chloride that was picked up was sold. It wasn't even unloaded off the tanker. It was shipped to another destination. A lot of it was the Philadelphia Water Treatment plant. They bought a lot of ferric chloride. So whenever we would get a

BRUCE J. DeREWAL

the same thing.

BY MS. KEATING:

Q Was that waste contained in drums?

A Yes.

Q Do you recall where those drums were disposed of?

A Well, they were emptied out in Jersey into that tank. They had the copper solution that we would re-sell.

Q Was that tank located at the Frenchtown facility?

A Frenchtown site, yeah, the same steel tank down there.

Q Then what would happen to the empty drums once they were emptied?

A I don't know what we ever did with them. They were plastic, plastic-lined drums. I don't know what we ever did with them. We had a guy that used to buy the drums down in Philadelphia. We might have sold them to him.

BY MS. HARDY:

Q Are you familiar with General Electric Company?

A No.

Q Are you familiar with Handy and Harman Tub?

A No.

Q Are you familiar with Hoffman LaRoche,

1

BRUCE J. DeREWAL

2 Incorporated?

3 A No.

4 **BY MS. KEATING:**

5 Q Are you familiar with Handy and Harman Tube?

6 A Handy and Harman Tube? Where would they be
7 located, do you know? If you had some addresses, maybe
8 that would help. I've never heard of any of these,
9 really. Go ahead.

10 **BY MS. HARDY:**

11 Q Are you familiar with NCR Corporation?

12 A No.

13 Q Are you familiar with Rahns Specialty?

14 A No.

15 Q Are you familiar with Sylvan Chemical
16 Corporation?

17 A He might be the one that owned the copper salts.
18 That could have been his material. He got them back
19 then, so that's the only way I'd know him.

20 **BY MS. KEATING:**

21 Q Were the copper salts the drums that were buried
22 out there for a number of months -- or not buried but
23 stored out there for a number of months?

24 A Yeah. I think Sylvan Chemical had to do with
25 that stuff, but we never hauled any waste for them.

Page 101

[1] passenger in the truck, but not the
[2] driver?

[3] **A:** I might have been. Because
[4] I used to ride with them once in a
[5] while.

[6] **MS. MARTIN-BANKS:** Did you
[7] ever hear any of them say that any
[8] of Carpenter Technology's material
[9] was disposed of at Boarhead?

[10] **THE WITNESS:** No.

[11] **BY MS. KEATING:**

[12] **Q:** Are you familiar with a
[13] company called Chem Fab Corporation?

[14] **A:** Yes.

[15] **Q:** What kind of company is Chem
[16] Fab Corporation?

[17] **A:** As far as I know, it's an
[18] etching company. It used to do etching.

[19] **Q:** Do you recall any of DeRewal
[20] Chemical Company's waste haulers ever
[21] making runs to Chem Fab Corporation?

[22] **A:** Yes.

[23] **Q:** Where would that waste have
[24] been disposed of?

Page 102

[1] **A:** I don't know where it was
[2] disposed of. I think they brought it
[3] back to Boarhead or down to Philadelphia,
[4] I'm not sure. I don't know where
[5] anything was disposed of.

[6] **Q:** Was that drummed material or
[7] bulk material?

[8] **A:** I think it was both. I'm
[9] not sure.

[10] **Q:** You don't specifically
[11] recall ever seeing any Chem Fab
[12] Corporation waste at the Boarhead Farms
[13] site?

[14] **A:** What? With their names on
[15] it? Out of the ground or flatbeds?

[16] **Q:** Your general knowledge that
[17] that waste came from Chem Fab
[18] Corporation.

[19] **A:** Not that I know of, no.

[20] **Q:** But when I asked you where
[21] Chem Fab's waste might have been disposed
[22] of, you said it would be either Boarhead
[23] or the Philadelphia facility?

[24] **A:** I'm saying it could have

Page 103

[1] been up at Boarhead and then parked there
[2] and then taken someplace else; or down to
[3] Philadelphia, parked there and taken
[4] someplace else. That's what I'm saying.

[5] **Q:** Are you familiar with a
[6] company called Etched Circuits?

[7] **A:** No. I don't think so.

[8] **Q:** Are you familiar with a
[9] company called Flexible Circuits?

[10] **A:** No.

[11] **Q:** Are you familiar with a
[12] company called MacArthur Chemical Company
[13] in Canada?

[14] **A:** No.

[15] **Q:** Are you familiar with a
[16] company called General Electric Company?

[17] **A:** I heard of them, but not
[18] associated with Manfred.

[19] **Q:** Did you or any of Manfred
[20] DeRewal's companies ever do business with
[21] a company called Handy & Harman Tube?

[22] **A:** Handy & Harman Tube? That
[23] can't be the one in Warminster, is it?

[24] **Q:** In where?

Page 104

[1] **A:** In Warminster.

[2] **MS. MARTIN-BANKS:** I think
[3] it is in that area, yes.

[4] **THE WITNESS:** I was there
[5] once with one of the boys.

[6] **BY MS. KEATING:**

[7] **Q:** Do you recall what kind of
[8] waste was generated by Handy & Harman
[9] Tube?

[10] **A:** I'm not sure. It might have
[11] been liquid.

[12] **Q:** What kind of liquid waste,
[13] do you know?

[14] **A:** I don't know.

[15] **Q:** Was it liquid waste
[16] containing cyanide or metals?

[17] **A:** I don't know. I can't
[18] answer.

[19] **Q:** Do you know where Handy &
[20] Harman Tube's waste was disposed of?

[21] **A:** No, I do not.

[22] **Q:** When you made your trip up
[23] to Handy & Harman Tube, when you left the
[24] facility, where did you drive the truck?

BSAI036014

1
2
3
4
5 IN RE: BOARHEAD FARMS SUPERFUND SITE
6
7
8
9
10

11 SWORN STATEMENT OF
12 MANFRED TATARA DeREWAL
13 VOLUME II
14
15
16

17 On the 10th and 11th days of December,
18 1996, at 10:17 a.m. and 10:35 a.m., respectively, the
19 sworn statement of the above-named witness was taken
20 at the instance of the United States Enviornmental
21 Protection Agency before Greg B. Hunt, Certified
22 Shorthand Reporter in and for the State of Texas, at
23 the Bureau of Prisons Federal Medical Center, 3150
24 Horton Road, in the City of Fort Worth, County of
25 Tarrant, State of Texas.

COPY

A P P E A R A N C E S

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841 Chestnut Building
Philadelphia, PA 19107-4431
BY: MS. SARAH P. KEATING

Senior Assistant Regional Counsel

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BY: MS. BEVIN HARDY

Paralegal Specialist

U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III
841 Chestnut Building
Philadelphia, PA 19107-4431
BY: MR. PAUL J. NEALE, JR.

Paralegal Specialist

I N D E X

WITNESS

MANFRED TATARA DeREWAL

EXAMINATION

BY: MS. KEATING

PAGE
152, 235, 253

EXAMINATION

BY: MR. HARDY

225, 251

EXHIBITS

PAGE

Exhibit No. 28 153

Exhibit No. 29 156

Exhibit No. 30 161

Exhibit No. 31 167

Exhibit No. 32 176

Exhibit No. 33 236

Exhibit No. 34 239

Exhibit No. 35 240

Exhibit No. 36 245

Exhibit No. 37 246

Exhibit No. 38 248

Exhibit No. 39 248

Exhibit No. 40 253

Exhibit No. 41 262

Exhibit No. 42 262

1 MANFRED TATARA DeREWAL,
2 the witness hereinbefore named, being first duly
3 sworn to testify the truth, the whole truth and
4 nothing but the truth, testified under oath as
5 follows:

6 EXAMINATION

7 BY MS. KEATING:

8 Q Okay. Mr. DeRewal, we are going to ask
9 you a number of questions about a company called
10 American Cyanamid. Are you familiar with a company
11 called American Cyanamid?

12 A Yes.

13 Q Did you ever do business with American
14 Cyanamid?

15 A I don't believe so.

16 Q Okay.

17 A Which -- which company was that -- I mean
18 which location?

19 Q We have information that would indicate
20 that you may have done business with the Bound Brook
21 or Somerville, New Jersey facility.

22 A I -- the Bound Book -- the Bound Brook
23 facilities was a -- is where they made their
24 pharmaceuticals. I knew the president there very,
25 very well. We grew up together. And -- and I don't

1 MR. NEALE: Okay.

2 THE WITNESS: Yeah.

3 A Handy & Harman, I think -- I think that
4 was some drums. I don't think they had much waste,
5 but I think that's what that was, and I don't know
6 what they -- I don't -- I mean, Handy & Harman Tub --

7 MS. HARDY: We don't have --

8 THE WITNESS: We don't have Handy &
9 Harman?

10 MS. HARDY: We don't have any
11 documents --

12 THE WITNESS: Oh, yeah, you've got it
13 here.

14 MS. HARDY: -- to show you. We don't
15 have any documents to show you.

16 THE WITNESS: Oh, okay.

17 A I think we may have -- I mean, they're --
18 some exotic metals they deal -- of course, they're
19 the big gold people out there. You know, they have
20 gold refining, silver refining.

21 Q We did detect some drums with silver in
22 them at the site. Could that have been Handy &
23 Harman drums?

24 A They could be.

25 Q Can you think of any other company that

1 you did business with that would have had silver --

2 A No. I'm just saying Handy & Harman
3 because they're over there near Norristown also, but
4 I don't recall ever doing much with Handy & Harman,
5 but -- Hoffman La Roche, I don't know what we ever
6 got from Hoffman La Roche. They're over there in
7 Jersey not too far from us, but that would be --
8 their kind of waste, I don't think it would be acid.
9 I don't know what it would be. They make
10 pharmaceuticals there. NCR Corporation, we got
11 ferric chloride out of NCR Corporation.

12 Q Would that have gone to the Philadelphia
13 facility?

14 A Philly, yeah.

15 Q That was bulk waste?

16 A What?

17 Q That was bulk waste?

18 A Yes, as far as I know, it was -- that's
19 all we ever took out. I mean, you know, if they
20 called up and they had 30 drums and they wanted
21 someone to pick them up, they would have, I mean, but
22 as far as I know, that was all bulk.

23 Q Okay.

24 MR. NEALE: What about General
25 Electric?

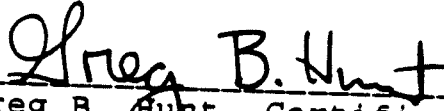
1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Greg B. Hunt, Certified Shorthand Reporter
4 in and for the State of Texas, certify that the
5 foregoing sworn statement of MANFRED TATARA DeREWAL
6 was reported stenographically by me at the time and
7 place indicated, said witness having been placed
8 under oath by me, and that this transcript is a true
9 record of the testimony given by the witness.

10 I further certify that I am neither counsel for
11 nor related to any party in this cause and am not
12 financially interested in its outcome.

13 Given under my hand and seal of office on this
14 the 4th day of April, 1997
15 ~~1996~~.

16
17 
18 Greg B. Hunt, Certified
19 Shorthand Reporter No. 3455 in
20 and for the State of Texas
21 4111 North Central Expressway
22 Suite 205
23 Dallas, Texas 75204

24 My commission expires December 31, 1997.
25

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC
and TI GROUP AUTOMOTIVE SYSTEMS
L.L.C.,

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

Civil Action No. 02-CV-3830 (LDD)

CERTIFICATE OF SERVICE

DAWN M. NEUKIRCH, of full age, certifies as follows:

1. I am employed by the law firm of Ballard Spahr Andrews & Ingersoll, LLP, as a legal secretary.

2. On this date, I caused one copy of Plaintiffs' Objections to Defendants' Designations of EPA Recorded Interviews of Certain Witnesses, Declaration of Glenn A. Harris, Esquire and Certificate of Service to be served via electronic submission upon the following:

ALL DEFENDANTS ON ATTACHED SERVICE LIST

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dawn M. Neukirch /s/

Dated: June 19, 2008